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the woolsack

Volume 17 No. 3

University of San Diego — A Law Student Publication

October 21, 1977

by Steve Lopardo

THE BEST TEQUILA in the world is made in the State of Jalisco, Mexico. The capital of Jalisco is located in Guadalajara, which with 2½ million people is the second largest city in Mexico and home of the modern Sauza and Jose Cuervo bottling plants. Guadalajara is also the site of the Jalisco State Penitentiary, an ancient granite monolith that serves as the largest prison in Mexico.

AT THIS WRITING the Senate Judiciary Committee is examining the propriety and constitutionality of a treaty between Mexico, the U.S., and Canada. The treaty provides for the return of convicted aliens to their home country for service of sentences received in the party countries. The treaty has been signed by the U.S. Executive, and approved by Mexico and Canada. To become effective, however, it must be sanctioned by the Senate. Concerned with the plight of Americans incarcerated below the border, several law students in USD's program in Guadalajara last summer formed a committee to lobby in support of the treaty. The U.S. Consulate General and several Mexican attorneys were contacted and interviewed. Eventually the U.S. Vice Consulate arranged for me and three other American law students to visit the penitentiary in Guadalajara, interview the 29 Americans then imprisoned there, and present before the Senate Committee a petition of our impressions about the prison and the treaty.

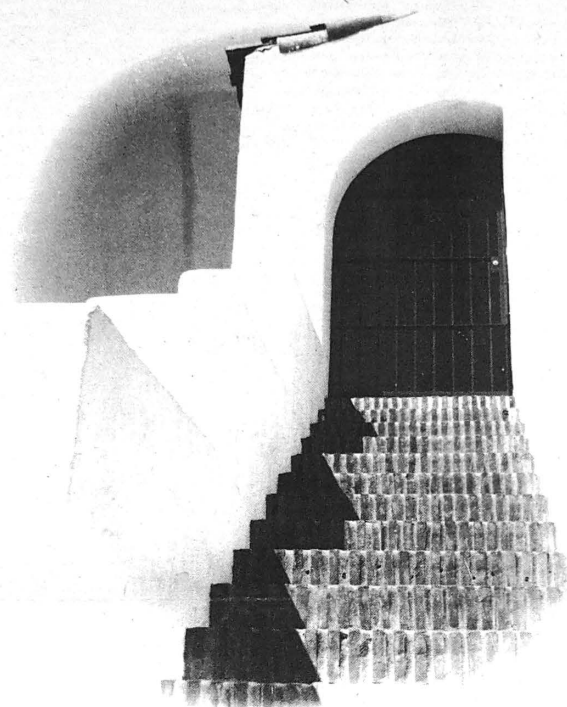
THE PRISON STOOD before us as an intimidating bleak grey castle built to withstand both resistance and time. Its age was impossible to guess. Separated from the street by 200 yards of no-man's land, 3 story rock walls rose from a 15' base to obscure any clue of the contents within. The walls marked a 300 yard square confine unbroken by windows and crowned at frequent intervals by cement turrets from which both helmeted guards and machine guns peered down upon us. A single double doored iron gate was the only apparent opening in the walls. Though I diligently looked, I failed to discover a moat.

The no-man's land and the gate area were peopled by a colorful combination of green dungerie-clad Federalies and prison guards in royal blue outfits with cowboy hats. Both contingents were thoroughly armed with impressive arsenals of automatic rifles, grenades, and very healthy German shepherds. To a man, they were smoking cigarettes and staring directly at me. As our small group approached the gate they did not smile. Neither did I. Dante would have been inspired.

Inside the gate the Consul led us through a confusing labyrinth of dusty offices and presented us to the head prison trustee. International law provides that foreign prisoners are entitled to monthly visits by their consulate. The trustee was a kindly stooped gentleman who addressed us in perfect English — a sweet little fellow whose son you would want your daughter to marry. The Consul proceeded to convince him that we were "attorneys" and part of the Consulate Office.

Our presence condoned, we were led into a dirty courtyard from which a single 12' iron door separated us and the prisoners inside. Here, the consul confided that the trustee was in for life "because he cut his wife into a thousand little pieces."

A 4" antique key hung on a nail abreast the door and was guarded by an



—PHOTO BY JACKI GARNER

JALISCO

obese guard resting behind a small desk eating chili. As we were summarily searched, a thousand beady eyes peered silently through a single barred window in the door. Not knowing what to expect, we followed our guide into the unknown.

UNLIKE THE CELL BLOCKS of Alcatraz I had expected, the confinement area of the prison was no more than a congested village sprawled behind the towering walls. Behind the door was a small plaza out from which dirt streets connected an assortment of cafes, shops, small factories, food stores, bakeries, houses, and cell buildings. Within this community the prisoners were free to circulate as they pleased. The metropolis had a garden, a shrine, and a soccerfield.

Little organization was apparent. Shanties and makeshift buildings of tin and scrapwood were squeezed among the more sturdy structures. What was painted bore bright but very old paint. Everything was very, very dirty. The smell of cooking, garbage and bodies hung heavily in the air and mingled with the dust. Between 3 and 4 thousand prisoners crowded this community.

BY NORTH AMERICAN STANDARDS the inmates enjoy an

"buy into a cell." Once obtained, a cell is an inmate's property to protect and develop as he sees fit, with as few co-tenants as he can afford. Because of this, living conditions range from overcrowded smelly holes to comfortably decorated pads. Space availability and the location of cells determine their market value, usually between \$10 and \$30.

Twice daily the prisoners are fed approximately 6 oz. of beans and some tortillas. This is often so rancid that it is only eaten by those who cannot afford to cook or buy their own. Most prisoners rely on food brought to them by their relatives.

Every Sunday, wives, children, prostitutes, and priests are permitted inside for visitation. Long lines of dark-shawled women appear in the early morning heavily laden with pots of food, small children, clothing, and supplies for their prisoner's needs. Because of this, every imaginable commodity is easily available in the prison community. Items such as drugs, liquor, radios, furniture and guns are not difficult to obtain inside. Once admitted no one is allowed to leave until all visitors are counted Sunday night.

Those prisoners without outside benefactors must find a way to obtain sufficient income to buy their share of the outside lifeline. Most work as private craftsmen making hammocks, jewelry, or wood carvings for sale outside. May work in prison shops or factories. In one such factory old tires are manually cut into rubber shreds. These are then shipped outside, although no one is sure what for. For 5 months last year, 8 Americans ran a red, white, and blue hamburger shop. Entrepreneurs are allowed wholesale purchases from the outside, and meat, buns, and cokes were obtained along with cooking supplies. The business held its own until a riot looted and burned the shop last April.

OF THE 29 AMERICANS in the prison during our visit, 27 had arrived there courtesy of drug charges. One had been convicted of credit card fraud, and one for smuggling guns. Those that we met were all between 18 and 30 years old. Most were from Southern California. Sentences ranged from 6 months to 5 years. Several had been neither sentenced or tried. One 23 year old UCLA student has spent nearly 3 years behind bars without a trial.

We discussed the treaty in a shaded outdoor cafe over cokes. About 15 Americans arrived as though secretly summoned. Most of the balance did not

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the woolsack

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From the Editor

WOOLSACK REVIEWED

There has been a great deal of discussion lately, as always, about the editorial policy of the Woolsack. The Administration is concerned with the image of the University, the student body wants to be amused, the alumni want to make sure we're behaving ourselves, and the SBA wants Saks quality at FedMart prices. We are trying to satisfy them all. But a few points could use some clarification.

There is no single, hard-line editorial stance around here. Our Chief Executive, Prime Mover and Central Organizer is a radical reactionary moderate. She is known to Democrats as a Republican and to Republicans as a Democrat. She champions underdogs as long as they are underdogs, and keeps a sharp eye out for abuses of power while commending efficiency and well-wielded authority. Our other editors and staff similarly have personal convictions (one thinks truth is beauty) and yet we generally agree on what should properly be included in our publication and what is better left unsaid. Sometimes, we are pressed to include information that does not belong in our forum. At such times, we carefully consider whether things which are essentially disputes, don't belong in the Honor Court rather than between the

pages of our paper. We would rather cover pending suits than petty squabbles.

We like to think that the Woolsack combines the best qualities and features of the Wall Street Journal, the Harvard Lampoon, and the Berkely Barb. Occasionally, we like to pass ourselves off as a West Coast version of the New York Times Book Review, or the Washington Post in general. Some think we resemble the Ratchet High School Rag. But whatever our component parts, we come off Woolsack. We like to remain a lively forum, open to debate via letters to the editor, and more lengthy commentary via guest features and editorials. As students, faculty, alumni and general public, you are invited to participate. Our motto in the past has been "Yellow journalism in defense of extremism is no vice." If you can think of a better motto such as "Fair journalism is neat," please send it in. In fact, consider this an instant contest. Whoever comes up with the best motto for the Woolsack gets his picture in the upcoming Supreme Court Edition. Deadline is November 5th.

* CONTEST! *
* CONTEST! *

SBA BUDGET

The SBA Budget Meeting was a real starer course for anyone who envisions his destiny as unfolding in front of governmental bodies. The SBA members, faced with requests that exceeded by \$5000 the funds which they had on hand to allocate, were like butchers at Jurgensons: let's get down to the meat and off with the fat. Both the Board

members and the requesting organization representatives undoubtedly walked out of the long and arduous session a mite thinner, after working off so many nervous calories revising, reconsidering, sacrificing and chopping the chaff off their budgets. After a long hard day, the budget was allocated as follows:

BALSA	853.20
MOOT CT	448.00
INTERMURALS	1000.00
PLACEMENT	800.00
MALPRACTICE	500.00
SOCIAL COMM	2340.00
ASIAN STUDENTS	587.00
LAW REV	1831.00
CHICANO STUDENTS	1072.00
MINORITY LAW DAY	567.00
NATIVE AMERICAN	115.00
WOOLSACK	3578.00
ABA/LSD	560.00
GOLF TOURNEY	780.00
WOMEN'S LEGAL CTR	3000.00
WOMEN IN LAW	1272.00
SBA REPAIRS	210.00
SBA OFFICE BUDGET	1775.88
GRADUATION	1500.00
ENVIRONMENTAL LAW	340.00
PRESIDENT'S FUND	200.00
CHILD CARE STUDY	100.00

Please note that this is a summary, for detail see the SBA minutes of the meeting which will be posted shortly.

★ STUDENT LOANS \$200 ★

The University has allocated to the law school an additional \$40,000 to assist students with the greatest need who were affected by the recent tuition increase.

This money will be allocated in the form of loans of \$200 to be used as tuition credits. The loans will be interest free and will be due one year after graduation or withdrawal from the law school. Thereafter, interest at 7% per annum will be charged on all loans until paid. The money received on repayment of the loans will be made available to future law students.

Criteria for selection of the recipients of the loans are unmet financial need and academic good standing.

Requests for consideration of one of these loans must be received in the Financial Aids Office by Friday, September 9, 1977.

NOTE: Since funds are STILL AVAILABLE TO LOAN, the deadline has been revoked. REQUESTS for consideration of one of these loans may be made to the FINANCIAL AID OFFICE.

Letter to the Editors:

Editor:

Without expressing any value judgment, pro or con, on the actions of our Campus Security Police, let me correct one factual error in your editorial, *Up Against the Wall*, September 22, 1977. The sarcastic, and inaccurate, statement was made that "...campus police, aided by city police they summoned, shut the party down because it was disturbing the wildlife in Tecolote Canyon." None of this is true, or even close. I know. The three or four times police came to the party, I was the one who negotiated with them.

First, although the initial contact with us was by campus police, they had been requested to do so by the San Diego Police Department. The band was playing outdoors and using plenty of amplification. Residents of the apartments and condominiums clear over on the south side of Linda Vista Road had complained of the noise. To save themselves a trip, the SDPD had referred the complaint to the campus police. As a result, the amplifiers were turned down a

notch or two.

The second and subsequent visits were from the SDPD. At no time did they indicate they were called by our campus security. At all times they said they were receiving complaints from residents in the area. We kept asking the band to turn it down. One time we asked the officer to let us know when he thought it was OK, and turned the volume down until he agreed it was not too loud. Nevertheless, complaints kept coming in to the SDPD. Finally, at about 11 PM, we gave up trying to keep going, and told the band to quit. The party was not shut down, only the band. It was the choice of those present not to continue the party without music, however, and the crowd drifted away.

Responsible journalism is not served by rhetoric, only by accurate and complete factual reporting. I have noticed a decided improvement in that regard with the present editorial staff, but this time you goofed!

Sincerely,
John L. Roche,
Professor of Law



Errata: The biggest goof, and only one we'll bother to mention, is that the California Supreme Court will be here November 7, not November 5.



the woolsack

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The views expressed herein are those of the Editorial Board or of its by-lined reporters, and do not necessarily reflect those of the student body, faculty or administration unless otherwise specifically stated.

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Staff: Bob Coffin, Ruben Vasques, Bill Danser, J.B. Mouse, Marilyn, Pluto, Jack Kelleher (Faculty Rep.), and others who wished to remain anonymous. Prompted by the Internal Revenue Service, the Administration has requested that the Woolsack place the following statement in each edition so that the law school can maintain its tax exempt status: The law school does not discriminate on the basis of race, color, sex, or national or ethnic origin.

Cash Flow

by Spencer Busby

Approximately 20 percent of law student tuition money is currently being diverted to other sources within the university and used for non-law school purposes, according to figures contained in a previously-unpublished "self study" made last year.

"The law school has regularly given a contribution to the University since 1971," acknowledged acting Law School Dean Grant Morris to the Woolsock this month.

"The law school pays a cost for University overhead," Morris noted, and the money is channelled into such areas as the Nursing School, sports facilities, physical plant maintenance, and general University administration.

The Self-Study specifically indicates that in 1971, the law school gave a 27 percent contribution to the University. That percentage has steadily declined since 1971 but still amounted to 19.8 percent of all law school revenue last year.

"It's an amazing situation," said SBA Vice President Richard Gates. "The University is trying to make a name for itself at our expense... The University expects students not only to pull their own weight, but to contribute to the University in a way that is not reciprocated."

"The law school from the top down has no balls," he continued. "They won't stand up to the University and say 'We have the class, we give esteem to the University, and we shouldn't have to support you!'"

When asked why he felt law administrators had no "balls," Gates replied, "The Trustees and the University have (Acting Dean) Morris by the neck and the Trustees basically run the school. It's a fundamental fact that law students are treated as second-class citizens."

Morris defended the 20 percent contribution of law students' tuition on the ground that "the University supported us in our infancy, and now we are not over-supporting it."

He added that "the prestige of having a nursing school that is not drawing significantly on other portions of the University may make it (the contribution) worthwhile."

Others feel, however, that the law school should only pay actual overhead costs to cover those University services from which law students benefit.

"It would be appropriate to pay a fair share for the swimming pool, Provost's Office, library heating, etc.," commented law professor John Winters, who chaired the Committee that conducted the "Self-Study" last year. But, as Morris acknowledged, many law students feel that the law school should not have to support undergraduate departments and programs which are losing money.

The Association of American Law Schools has established a recommended percentage range of revenue that law schools can give to the universities without threatening the academic and economic viability of the law schools. Morris said the USD — which is 90 percent tuition-supported — falls within the recommended range, but no evidence was offered to substantiate that claim.

A random law student interviewed in the library seemed unconcerned about whether the viability of USD law school was threatened by the giving of 20 percent of his tuition money to the University. "It's ridiculous," he merely stated. "We give this contribution to the University and still have to pay \$2 to see Ronald Reagan and beaver Cleaver."

Of course, the undergraduate school, it must be recognized, is one of the cultural high points of southern California. All law students may benefit from the art collections, the musical events, and the lecture series offered by USD, just as University of California law students benefit from the general UC multistructure.

ENVIRONMENTAL LAW SOCIETY

by Kirk McCord

The Environmental Law Society (ELS) held its second and third meetings of the year on September 22 and October 6. Guest speakers at the September 22 meeting were Mrs. Addie Hughes and Mrs. Iris Hicks, private citizens involved in local environmental issues. The topic of their discussion was the San Diego Growth Management Plan. They are particularly concerned about a new ordinance which abrogates the necessity of giving notice to existing property owners of the issuance of construction permits in their areas. Under the proposed ordinance, first indication of new residential developments would be when construction begins. Existing owners would be precluded from challenging the issuance of the permit based on environmental impact grounds.

Both Mrs. Hicks and Mrs. Hughes solicited ELS aid in appearing before the City Council and other local agencies to challenge the legality of dispensing with the notice provisions. Any students interested in helping should contact Dave Winkler, ELS President, at 454-8469.

Guest speaker at the October 6 meeting was local attorney Corky Wharton. A local "Don Quixote" who represents environmentally concerned groups, Mr. Wharton discussed the types of problems the private environmental attorney is likely to encounter. Challenging the establishment is an uphill battle fraught with administrative and procedural pitfalls for the unwary. One doesn't get rich representing private citizens against big industry and government, but the work is extremely challenging and self-satisfying. Mr. Wharton is presently involved in challenging the issuance of construction permits for two nuclear power units at San Onofre power plant and for a large residential development in the scenic hills near Riverside, California.

Guest speaker at the next meeting on October 20 will be local attorney Dwight Worden, presently a member of the Coastal Commission. Tony Summers, of the State Attorney General's Natural Resources Unit, is scheduled to speak in November. All are welcome to attend ELS meetings on the first and third Thursdays of each month at 12:15 in Room 1B of the Law School.

The ELS recycling program is going well. ELS requests the continued cooperation of everyone in ensuring that aluminum cans are placed in the proper receptacles for recycling. The receptacles are located in the Law School and Law Library buildings. Please ensure the cans are empty before putting them in the bags. Thanks to the efforts of Mira Mesa Cub Scout leaders Ron and Nancy Townsend, these receptacles are being emptied several times a week. Students can help by ensuring that full bags are removed and left alongside the receptacles for pickup and by replacing it with an empty bag.

Another on-going project is the establishment of ELS, Incorporated. This non-profit corporation will litigate and intervene in environmental suits. Presently, ELS is involved in attempting to protect a rare freshwater coastal lagoon in the North County from damage by the construction of a shopping center. Contact Randy Koenig at 729-8253 if interested in helping.

All students interested in pursuing environmental law as a career should procure copies of **Employment Opportunities in Environmental Law and Environmental Law Related Aspects of Courses** from Dave Winkler at 454-8469.

FOR SALE: blue-green carpet, 9x12; excellent condition \$35. Complete darkroom set including enlarger, trays, etc. \$150. Phone Steve or Angie at 299-9106

FOR SALE: Hangglider, 18' Sun Std. Rogallo. Excl. first kite. \$100. Call Jack at 488-7975.

CHICANO LAW STUDENTS

by Ruben Vasquez, Jr.

The Chicano Law Students Association (CLSA) has been an active organization on campus since 1969.

The Association is designed to establish a liaison between the Spanish speaking community of San Diego, the legal community in San Diego and California, other Chicano law students in the nation, and the law school student body here at USD.

A continuing effort of CLSA is in the area of recruitment of eligible Chicano students who are interested in attending our law school. In furtherance of this goal CLSA has tentatively scheduled a "Law Day" in early October at USD. Further information will be posted at a later date.

This year's newly elected officers are: President — Marie Arroyo; Vice-President — Ruben Vasquez, Jr.; Secretary — Jose Guerrero; Treasurer — Alex Campillo.

PLACEMENT COMMITTEE

by Mark A. Hiller

Increased on-campus recruitment was one of many topics at the meeting of the Placement Committee. While only four on-campus recruiting meetings were scheduled when the year began, Nan Oser has organized another six thus far. Schedules for each of the meetings and deadlines for application are posted on the placement bulletin boards. One of the suggested methods for further increasing recruitment was a program of visits by USD students to large firms in this area and Orange county as emissaries. This would further provide an opportunity for the student to make some personal connections. Volunteers and those with suggestions are asked to contact Nan Oser in the placement office.

The main goal of the meeting was to bounce around ideas for further strengthening the placement procedure. Ideas ranged from providing assistance to our overworked Oser to holding a placement career conference and workshop. Specifically, a workshop is proposed for the training of several students in the arts of resume writing, interviewing, and follow up. Students who have learned these skills would then advise and train others, and thereby allow more time for Oser to cultivate job contacts for the law school. Anyone with an interest in this project and the possibility of a part-time paid job as an assistant to Oser are urged to contact her.

Another idea to be reported on at the next meeting is provision of a mag card typewriter service at cost for students to get original cover letter typed to send out with each resume. Any ideas on this project are to be directed to Mark Hiller in the placement committee box in the SBA office or by calling 298-3109.

The placement committee invites anyone to attend its regular monthly meetings. The meetings are held on the first Thursday of every month between noon and 2 p.m. in the faculty lounge unless otherwise posted on the placement office bulletin boards. The next meeting will be on November 3. Students are invited to take advantage of the opportunities for job contacts afforded by work with the placement committee. Volunteers need simply drop a note with their name and phone number in the placement committee box in the SBA office.

5305 Napa St. San Diego 297-0429

40 oz. Pitcher of Beer for \$1

Billy's Back Door

with law school id.

GOOD THROUGH NOVEMBER 11

PATIENT ADVOCACY

ANNOUNCEMENT

Minors' Rights: Defining the Issues
October 14, 1977 — 1-3 pm
CMH Adolescent Unit
3485 Kenyon St.
San Diego, CA 92110

The rights of minors in the area of mental health are currently in a state of flux. In order to outline the issues, the Patient Advocacy Program and CMH Adolescent Services are inviting interested individuals to a meeting to air their concerns on the subject.

At the meeting, Terry Lee Briggs of the Patient Advocacy Program will outline the current legal situation and discuss some of the problems recently encountered by the Program. Dr. Perry Bach will present his perspective as a treating psychiatrist.

If you cannot attend, please feel free to send your concerns to Ms. Briggs at the Patient Advocacy Program, University of San Diego, Alcalá Park, San Diego, CA 92110. A follow-up meeting will be arranged in order to set up working guidelines for dealing with problems in the area of minors' rights.

WOMEN IN LAW

by Pat Keliher

This year, Women-In-Law hopes to take a more active role in the law school community. Several events have been planned for the school year including: the presentation of "Sisters-On-Stage," a feminist theatre group; workshops on self defense and "Opportunities for Women in Law;" and one major speaker and several informal gatherings where students can share ideas and experiences.

In addition to planning these events, Women-In-Law has set up several ongoing committees. They are: education, political action, social, day care, sports and the Women's Legal Center. Each committee will work on its own individual project, with help from the general membership as it is needed. These committees were devised so that students could become involved in a specific area of interest to them.

Women-In-Law will also be publishing a monthly newsletter beginning in November. The newsletter will contain information on services, events and news from the local feminist community.

Our plans for this year are ambitious and will require all the personpower we can muster. Women-In-Law is open to any interested student, staff or faculty member. If you would like to be involved, leave your name and phone number in the Women-In-Law box in the SBA office.

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Keep V. Kerig

by Jackie Garner

Professor Kerig is a professor of Criminal Law and Procedure and Evidence at USD.

Professor Kerig's position was largely one of weighing values: do you place a greater value on protection of 4th Amendment rights or an equal value on crime detection and law enforcement?

"I don't feel that a person who probably is a criminal ought to go free simply because a trained and well-motivated constable blundered in his attempt to apply the highly complicated search and seizure law." To let him go free, says Kerig, is a disproportionate response to the error. "But if that constable subscribes to the philosophy that the end justifies ANY means — that probably criminal should go free — that's a proportionate response to a very pernicious philosophy."

In short, he advocates a modified, moderate version of the exclusionary rule. He says that the complicated rules, which are handed down from both the state and federal levels, and differ between themselves, are too complicated. California pays no heed to the EXTENT of the violation — ANY transgression of the law of search and seizure constitutes a violation. Further, it gives ANY accused standing to protest. "Would you bar this evidence even for impeachment purposes," he asks, "and let the accused get up and lie, impervious to exposure? If it's reasonable to deter the police from unreasonable search and seizure, isn't it also reasonable to deter the accused from lying on the stand? What jurisdiction has gone as far as California?"

Kerig didn't agree with Traynor, who claimed that the only deterrent of 4th Amendment violations could be the exclusionary rule. He proposed applying the exclusionary rule only to flagrant, intentional violations by the police of the warrant requirement, or to police departments who are "willfully ignorant" of them. "But not to every single police department because you've got one rotten apple in the barrel. I'd call an error an error — not a violation."

"With all due respect to the Founding Fathers," he said, "I read the 4th Amendment, and I didn't find anything about the exclusionary rule. Somebody made it up — It's in Vol. 6 of Pacific 2d, that's where. I'm asking for a return to the good old days, where you exclude it if it shocks the conscience."



DEBATE

EXCLUDE THE EXCLUSIONARY RULE?

TITLE: Injecting Proportionality into California's Search and Seizure Exclusionary Rule.

RESTATE: Evidence derived from an unconstitutional search or seizure shall be admissible in any criminal or quasi-criminal proceeding, unless such admissibility would exploit the unconstitutionality of the search and seizure — in which case the evidence, if offered on the merits by the State, would be inadmissible over the timely and specific objection of the party with standing.

Judge Judy Keep is a 1966 Scripps College (Humanities) graduate, and a 1970 graduate of USD Law School. She worked for Defenders, Inc. for three years and had a private criminal/civil/domestic practice before being appointed to the Municipal bench in March of 1976 by Jerry Brown.

Judge Keep's position was that the only adequate protection for the civil liberties granted us by our state and federal constitutions is the exclusionary rule. She said we must be careful not to confuse personal interests (of state officials) with the interests of the state. "In 18th century England, was it truly necessary that all churches except the Church of England were repressed, or was it in the interest of the Church of England so that its vast power could be unabated? Was it necessary to suppress evidence in the Watergate trials to protect the interests of some of its politicians?"

"Very few policemen," she said, adding that they are trained witnesses who tend to look good on the stand, "will testify that the reason they kicked in that door was that they really had

something against that punk and wanted to zap him!"

If we try to revise the exclusionary rule the way Kerig suggest," she said, "we will have a mess, like the mess after Miranda. Procedurally, there will be chaos and confusion about 'was the application of the exclusionary rule reasonable?' Questions about substantiality and other technicalities would lead to inconsistent applications of the law. And the courts would be floundering for guidelines as to what is reasonable.

Also, civil suits against the police as suggested by Chief Justice Burger and the Biven's case won't result in very many real remedies because civil suits are long and tedious processes and people from the ghettos — who are the ones most likely to need such remedies — won't be inclined to press their luck by pressing suit against the police.

"What do you mean, return to the good old days," the Judge asked Kerig. "The early 50's with all the Communist hearings? Now what shocks me will not shock you, and there will probably be lots of forum shopping with prosecutors and defenders trying to get into my court or into yours."

REGULATIONS ENRAGE REAGAN

by Jim Verner

On Saturday, Oct. 1, former Governor Ronald Reagan spoke to an appreciative crowd in a well-filled Camino Hall. In a half-hour speech peppered with numerous examples, the Governor blamed many of America's ills on excessive governmental regulation. Noting that the people's conception of the role of government in society had changed, Reagan warned against reliance on government to correct all problems.

Since the Depression, Reagan said, the government has increasingly meddled in areas in which it has neither the right nor the capacity to provide. This has been accompanied by an increase in the bureaucracy, which has in turn caused increased taxes. Americans, he continued, spend more money on government than on food, shelter, and clothing combined. More alarmingly, government expenditure is growing at a faster rate. This excessive government spending is the cause of inflation.

Reagan considers a troika of factors essential to American society: profit, property rights, and freedom. If any one falls, the other two would tumble with it. These factors are responsible for the achievements of American free enterprise.

After asking rhetorically why Americans had lost faith in their system, Reagan replied that government regulations were responsible. Government regulates every facet of our lives, he

continued, and then cited examples of ludicrous regulations.

The former Governor's pet peeve is the Office of Safety and Health Administration (OSHA), which has

- issued a directive to face ladders when climbing;

- warned farmers about slipping on cow chips;

- issued regulations for deep-sea divers which if implemented would cause each to wear 1,000 lbs. of equipment.

Finally the Governor mentioned that when the OSHA building in Washington was inspected it was found to have violated 300 of its own safety rules.

Reagan believes that the free enterprise system can better serve our interests than government. As an example he noted the Scottsdale Fire Department, which is privately owned and operated and costs less than similar public departments. Another instance is a McDonald's franchise in a school that otherwise would not be able to serve hot lunches.

In discussing taxes, the Governor highlighted the fallacy of thinking higher taxes for business meant tax breaks for the people. He characterized taxes on business as the politician's way of hiding taxes. The higher cost of doing business is passed on to the consumer in the form of increased prices. Reagan proposed an across the board tax cut, in line with his philosophy that the marketplace, not

Washington, is the place to solve our problems.

Reagan gave a detailed answer when asked the inevitable Panama Canal Question. The United States, he began, uses the canal more than proponents of the treaty contend. Any shut-down of the canal would cost billions of dollars in increased prices, through greater transport costs being passed on to the consumer.

Proponents of the treaty, Reagan continued, are asking why the United States shouldn't give the canal back. Reagan asks why the United States should give it back, stating that this Panamanian government, this time, and this treaty was not appropriate, the Governor fears that the Soviets would move into the power void left by the United States. A final point of opposition was the \$80 million/year payments to Panama.

Reagan's alternative to the treaty is the formation of a Pan-American quasi-governmental corporation. Criticizing the Carter administration for lack of a Latin American policy, the Governor suggested that giving each country in the hemisphere a representative would do much to bind us to our neighbors. In the Governor's opinion this solution would satisfy the Panamanians' nationalism and the United States' desire for a secure canal.

BAKKE

WHAT DO TESTS TEST?

Now that the Bakke case is being argued in the Supreme Court, issues concerning the role of education in social engineering have become commonplace in some people's everyday conversation. The primary issue appears to be whether it is constitutional for an admissions committee to admit via "affirmative action" (or reverse discrimination), "less qualified" minority applicants.

One might ask, "What are the measures used to determine an applicant's qualifications?" Well, as we all know, the two main criteria used for assessing a candidate's abilities are: his/her grade point average and his/her standardized test score, these being "weighted" about equally by most admissions committees when they make their choice. In other words, generally speaking, an applicant's performance on a four or five hour test has about the same impact on his/her academic possibilities, as does his/her performance of thousands of hours of undergraduate (or whatever) work. Therefore, one would think, such a test must be a very accurate measure of an applicant's potential for it to be accorded such "weight." As the Educational Testing Service (ETS) explains the Law School Admission Test (LSAT), "It's usefulness in predicting average grades for all three years has been investigated in studies at two law schools. These studies indicate that, in general the test compares favorably with undergraduate grade average as a predictor of success in law school" (emphasis added). With such a dearth of longitudinal empirical evidence, how can one challenge the validity of the test? After all there has been only one ten year study which tended to dispute the validity of an aptitude test produced by ETS. That study was conducted by the undergraduate admissions office of Williams College, and found that the Scholastic Aptitude Test was not an accurate predictor of future academic performance (Newsweek 87:49, Mr. 22 76). However, for the most part, academia's faith in the aptitude tests produced by ETS remains unshaken.

Well, let's suppose that our imaginary applicant, Zeke, scored say a 500 on the LSAT and is not admitted to the Dogpatch School of Law because his low score indicates sub-human intelligence and has been associated with a marked inclination to climbing trees among other things. Whereas Porgy, who scored a 570 was admitted because of his "superior qualifications," all other things being equal. One might ask, "How many correct answers separate Porgy and Zeke?"

As ETS states in its application booklet for the LSAT, individual scores will be reported on a 200-800 scale only, a score "can not be reported in any other manner." There is no explanation as to why this is the policy. In other words, the ETS refuses to release to an individual test-taker, his/her raw score and the method by which it has been converted to an LSAT, MCAT, GRE or SAT score. If ETS was a governmental agency it would be required to furnish such information under the Freedom of Information Act, but as we all know ETS is a private organization which competes in a free market with other businesses engaged in the stratification of society. Such a disclosure of one of their "trade secrets" would be unfair in that it would detract from their ability to compete; but don't take my word. Write them. They'll tell you why you shouldn't know what you might think you have a right to know. The address: Law School Data Assembly Service, Law School Admission Services, Box 944-R, Princeton, N.J. 08540.

—by Thomas B. Byrne

COLLOQUY

"Why Do People Hate Lawyers"

by Rich Gates

People hate attorneys because as a profession we have lost our feel for the people. We are no longer comfortable with the masses, and needless to say, they are uncomfortable with us. We have lost touch not only economically, but emotionally as well. We are hated because we have built up the public's expectation of us as counselors and we have failed them miserably. The sad part is that most attorneys couldn't care less. We have forgotten that our job not only entails the resolution of our client's legal problem, but also involves some personal counseling as well. In this latter area many attorneys are dismal failures. In our haste to achieve our individual American Dreams we have built a wall between ourselves and the vast majority of Middle America: our clients. Instead of treating our clients with special attention (for which they pay an exorbitant fee) we have come to view the client as a necessary evil for whom some time must be spent somewhere between the racketball court and Happy Hour. We have forgotten that most of our clients are strangers to the world we operate in, and instead of allaying these natural fears, we put them on hold. Instead of putting a reassuring arm around their shoulders, we treat them as if they were inferior to us. We deserve their hate.

Of course these comments do not apply to ALL attorneys, for some do attempt to take a personal interest in their clients as people. But we are dealing with our image, and if people hate attorneys, for whatever reason, then the problem is real.

But the problem is not confined to our clients' images of us. We have a problem with how we view ourselves. Recently a poll was taken of Calif. Attorneys asking them to rank the various areas of law according to prestige. Not surprisingly, securities and tax work ranked at the top in prestige and poverty law ranked on the very bottom. Not surprisingly, tax and securities law rank near the top in pay also, and poverty law, true to its name and purpose, ranks at the bottom. If you can see the point you can solve the problem. If you can't see the point, you are the problem.

by Jacki Garner

Yesterday was not unusual. I was down at the County Assessor's office, getting some information. I was greeted at the desk by two people at once, both of them smiling, eager to attend me. How nice, I thought.

I got out my little research book and started to explain to them the information I needed. Both smiled and nodded. "Hey, looks like you've been working hard," said the young man, indicating my book. "Are you in real estate (kind lady, your wish is my command)?"

"No, law," I replied just as sweetly, gratified by his kindness.

"We don't like you people around here," he said, as the other one frowned and walked away.

"Oh, but I'm also from the Press," I got in quickly.

That softened him back up a little, and he was at least willing to start smiling again.

In fact, now that I really think about it, it seems the only people who do respond favorably to my being a lawyer-type are lawyers, relatives, and women, who are remarkably glad to see others of their sex in the plush professions in general (don't I, whenever I meet a female medical student, shower her with encouragement?). But otherwise, you say "lawyer" and the responses are almost universally hostile. I find myself defending the profession — "But lawyers help people," I protest, "like doctors, help people, you know, even though they charge exorbitant fees and are cold and distant and get terrible publicity." Then I remembered all the lawyers who have chastised me for believing in this work (I thought this one would faint over the telephone when I told him as he offered me a job, no thanks, writing a murder appeal in some circumstances would be fantastic, but I don't think I could bring myself to help defend a person who ritually murdered another with such low reason for doing so. I didn't say, but I was thinking, what were the Nuremberg trials all about, but doing your duty against your beliefs. While recognizing the man's right to counsel, I just wasn't willing to be or work for that particular man's counsel. And yet, who knows, there must conceivably come a day when I would without qualms represent a person whose case clearly had negative merit. I mean, I might even, terrible as it sounds, manipulate the law to suit my client's needs, even if in so doing, it made the law less credible, less manageable, less respectable, with less of a reason to be a law. After all, our duty is to our clients, and not to the cause of justice, isn't it? I mean, what does justice have to do with it all, anyway?).

With thoughts like these, I'm glad I'm still in law school, with time for them to wear off. I suppose doctors feel the same way vis-a-vis dying: you harden yourself a little or you'd be depressed to death. As a lawyer, if you care about your divorce cases you'll get just as emotionally embroiled as they are — better just divvy up the property and get it over with. But surely there's a middle ground: Otherwise, all lawyers would be hard-hearted Harrys, and everyone would hate them.

And that would be intolerable, wouldn't it?

WOMEN'S LEGAL CENTER

Editor's Note: Last week a woman was murdered by her husband. This woman had made many attempts in the past and just before her death to convince authorities that her husband did indeed intend her violence. But the police get lots of this kind of call — and they, and lawyers, and judges, routinely tend to pass them off as "domestic squabbles." It is difficult to tell who is worse off — the threatened wife or the threatened girlfriend. For the wife, the whole thing is a family matter, for the girlfriend, "if she hadn't have asked him in and asked for it, she wouldn't have gotten it." Anyone who has heard or witnessed or been a party to this sort of thing, anyone who has greeted a client whose nerves are gone after months of torment, whose face is bruised and swollen, and whose children are permanently anxious with ample good reason, will laud the efforts of the Women's Legal Center and the CWSS to provide legally enforceable assistance for such women, before they too, are shot twice through the chest in their own living room with their two year old son on the couch, watching. The irony of the situation is well summed up in the words of one woman, turned away from each place she had sought help. "Does he have to kill me before I have any rights?"

—J.G.

by Elly Newman,

Administrative Coordinator,

Women's Legal Center of San Diego

Two years ago, in October 1975, the Women's Legal Center of San Diego opened its doors to its first clients. No government grants, no faculty father figure, no sponsoring agency — just a few stubborn women law students who saw that it had to be done, and that no one else was about to do it. Women, especially poor women, need access to the legal system, need respect and responsibility, need attention for their whole problem situations, not merely the right page from the form book.

With a lot of help from our friends (notably the USD Student Bar Association* Women in Law, the USD Clinic Program, the YWCA, Lawyers' Club, and the County Bar Association and its auxiliary), we go into our third year as a recognized part of San Diego's legal community, with much anticipation and a considerable sense of accomplishment. Students from all three local law schools earn academic credit for casework in our clinic. Attorney volunteers supplement our staff attorney in advising clients, and a modified-fee referral panel serves many more. Social workers do crisis counseling and referral during clinic hours and facilitate support groups and other follow-up services.

The individual client need helps right now, with the social and legal system as it is now set up, and offers to the student an educational experience unique in its mix of satisfactions and frustrations. Thirty clients may mean

thirty different problems — but it may also mean the same two problems ten or twenty times. To increase our effectiveness against such recurring difficulties, the Women's Legal Center has joined with other groups to address larger community issues: education for lay people in legal rights and responsibilities, better treatment of rape victims by law enforcement agencies, and more protection for battered women.

Domestic violence is being recognized as one of the major problems affecting the lives of women, married or single, rich or poor, at any age. The Center is an active part of the coordinated effort now being made in this area. No less than a complete change in society's attitudes toward abusers and their victims can eradicate intra-family violence, but many aspects of the situation can be improved. We share the credit for one such improvement already achieved.

The Conciliation Court of San Diego has recently inaugurated an innovative experimental program of granting temporary restraining orders against battering spouses. A committee convened by the Women's Legal Center and the Legal Aid Society first presented the proposal to the Hon. Norbert Ehrenfreund, who accepted it for a trial period for referrals by those two agencies only. Nationwide interest was aroused by the announcement of the new program, and it has been made available, still on a trial basis, to clients of private attorneys and to those contacting the Conciliation Court directly.

This promising experiment accomplishes several things: the petition can be filed simply and quickly, without a filing fee and without the aid of an attorney. The restraining order will be issued on the petitioner's declaration, pending a hearing in Conciliation Court, which will usually be informal and private. The batterer will be brought in for at least one counseling session, by court order if necessary, and an attempt will be made to establish agreement of future behavior. A battered spouse, already physically and emotionally traumatized, will not be required to make an immediate decision under stress to file for divorce or separation just to get a restraining order.

Only married families with children are eligible for the procedure, and the petitioning spouse must be willing to make at least an initial effort to save the relationship. Orders for the husband to leave the family home are not now available through the Conciliation Court. Within these limitations, the new program represents a significant advance.

In addition to legal representation and participation in the Conciliation Court program, the Women's Legal Center acts as part of a county-wide referral network for battered women. We are able to assist not only women who come in to the Center but also many others who have sought help for their more immediate needs — emergency shelter, food, financial assistance, and emotional support. General legal information can be given by telephone to clients themselves or to agency counselors. Agencies can send staff members to the Center for briefing or request a presentation at their office. Through several speaking engagements, we have helped to increase public awareness of the problem of domestic violence, and continue to contribute to the mounting pressure on government to make emergency resources available to abused women.

The Women's Legal Center will not be a "success" until our resources catch up to our aspirations, which is most unlikely. But it works! Our commitment has carried us from the campus to the clinic and beyond, into the active community of women and men working to build a humane environment in San Diego.

* (The SBA has just renewed its generous support of the Center for the current academic year).

s1-101. Legal Cooking



1.



2.



3.



4. (a.)



4. (b.)

add \$15,000.00
to the ingredients,
visit the stir,
and you've got an
instant case.

5.

POLAND

by Elizabeth E. Nessler

Arriving at the Warsaw airport in mid-August of this year the first impression I had was fear. Soldiers (both Polish and Russian) armed with machine guns and dogs were stationed conspicuously at every turn and every checkpoint. They wore expressions of vacant seriousness. Most were young, thin, and wore almost humorously ill-fitting uniforms whose drab colors hung on their bodies. Many appeared almost children—perhaps sixteen or seventeen years old—but there was no trace of youthful exuberance or carefree spirit. There were few smiles and little conversation either between co-workers or among the Polish travelers in the airport. Perhaps 15% of the airport security force were women, who were generally more stocky and muscular than the men. They work no make-up. Their hair was either pulled back severely into buns or it hung uncurled about mid-neck.

My passport was slowly checked and re-checked a number of times. Ironically, the only time I did encounter a smile was when it was discovered that a piece of my luggage arriving from Bonn, West Germany, had been misplaced. It took almost an hour and a half of guards and interrogations to finally retrieve it.

It was an eerie feeling to think that the Polish soldiers found my misfortune humorous. I dismissed this as being a paranoid idea. Days later, after talking to many other Western travelers in Poland, I wasn't so sure. Many of them had the same impression.

Nothing is easy to do in Poland. As a recent travel publication of the Harvard Student Agencies suggests: "ORBIS, the national tourist office, is perhaps the best example of bureaucratic inefficiency in European travel, and one's troubles are likely to begin long before even setting foot on Polish soil." After correspondence with the Polish Consulate General in Chicago, filling out approximately twelve forms, exchanging currency and sending eight photographs I finally got a visa.

The purpose of my visit was to attend an International Logic Colloquium in Wrocław, sponsored by the Mathematical Institute of the Polish Academy of Sciences. My companion was to contribute a mathematical paper to this august group. He explained that many of the top Polish mathematicians have defected to the West within the past few years. This has meant that the governmental policy of allowing Russian, Polish and Czechoslovakian scientists to visit the United States has been severely curtailed by those countries. To facilitate communication among Eastern and Western mathematicians it was decided to hold a meeting in Eastern Europe in 1977. Persons from Israel, England, Russia, France and the United States were invited. (Initial refusal of the Polish Government to grant visas to the Israelis almost resulted in a boycott of the conference—but fortunately this problem was ironed out.)

Wrocław, Poland, is a city approximately 240 miles south-east of Warsaw. We flew there on LOT (the

Polish airline) on a small propeller plane which was pretty shakey. The "fasten your seatbelts" sign written in Polish and Russian was on for the whole ride. Wrocław was almost totally destroyed during World War II and has not yet recovered. Evidence of the bombing is abundant. Buildings are half standing and I saw Polish women stooping in fields putting bits of bricks and stones into cloth bags hanging on their backs.

Almost every store in Wrocław had a queue of ten or fifteen people long. You must wait in lines for everything in Poland from buying your bread in the morning to clothes or medicine. A middle-aged world famous professor from Berkeley waited 3½ hours in a line at the Almatour Hotel for a towel. He finally gave up and used his bedsheet. An English woman placed a telephone call to Belgium—four days later she had her connection. Toilet paper is a luxury; many use newspaper.

Discussing the living conditions, a native Polish man explained to me that clothes dryers are almost non-existent. The wait to buy a washing machine is 2½ years. You must wait about 5 years to buy a car (after waiting to get your name on the waiting list). To obtain a small apartment you may wait 15 years or more. He said, "There is no time to strike in Poland, we are kept much too busy."

There is a severe food shortage. My first supper (admittedly the light meal) consisted of a small fish with its head chopped off, a slice of tomato and a piece of bread and coffee. I was told Poland was forced to export a huge percentage of its meat to the Soviet Union.

I was surprised to hear that the divorce rate in Poland is very high and most families have only one or two children.

I found the young students at the University at Wrocław to have the same humorless seriousness that the Warsaw soldiers exhibited. The student workers in the cafeteria would often argue loudly with each other. It was sad to see the apparent lack of warmth and joy. I did not meet one young person who spoke English, though a few were learning German.

Some of the older Polish people, however, were friendly and hospitable representing what is the rapidly disappearing "Old Poland." Two invited me to their homes and were very interested in America. None wished to discuss politics.

The currency is the zloty (zl.). The official exchange rate is 33 zl. for each U.S. dollar. But the black market is rampant. There are some items Polish people can only buy with Western money such as certain medicine, clothing and soaps. I was told that if a Pole could accumulate \$500 in Western currency in his bank account he would be eligible to buy a ticket to West Germany (and a chance to defect). I don't know if this is true, but simply everyone from students and professors to store clerks were asking me to exchange dollars. The black market exchange is more than three times the official rate or 120 zl. per dollar. The salary of a full professor at the University was said to be only 4,000 zl. or \$121 per month.

Despite this unfamiliar standard of living and the presence of armed Russian and Polish soldiers on the streets, I enjoyed my visit to Poland and would love to return. The wistful Oder River that runs through the partially torn city of Wrocław is as beautiful as can be imagined.

"Oh To Be In ENGLAND"

by Bob Helstowski

It was Saturday, July 30, 1977, at the Fishguard Barn Dance held at Sealyham Farm. We began to wonder why we drove over that narrow windy road for all those miles just to end up in the middle of a cornfield. But after a pint of bitters and a busload of birds from Tenby arrived, we decided to saunter right in. I can't say much for the acoustics of a band sitting right in the middle of a tin barn, but who listens to music when you have thirty young ladies dancing with each other because Welshmen won't want to embarrass themselves. That evening we learned a lot about Cornfield farming techniques.

The point is you learn a lot more, than law on a USD summer program. For those of you planning to go abroad next summer, here's what they don't put in the brochure.

Oxford's got class. Breakfast is served in a stately old hall adorned with portraits of the founding fathers. Merton's professor Jack Beaton will twist your mind with his scattered thoughts and send you off to the "students only" reading room in the library to straighten things out. You even get a gentlemen's gentleman, or scout, to tidy up after in your campus room.

Nighttime activities include pub crawling, visiting, or a play in London. The main disadvantage to this program is that your housing, which is about four times as expensive as off campus, tends to isolate you and your exclusively American classmates from the local scene. However, you do get a chance to meet

lots of tourists passing through during the summer.

Paris is dinner and a free sidewalk show. This is USD's most popular program and attracts an international assortment of students and professors. Definitely a foreign environment, it helps to speak French and have a big bankroll as big city life can get expensive.

The year I went to Guadalajara they passed out fly swatters with the books. Flies used to dance atop Professor Schwartz while we viciously smacked away at our desks. But we thoroughly enjoyed ourselves. Guadalajara is a clean, cosmopolitan city, with discos and restaurants galore. You take a bus to school where you'll soon discover you're among hundreds of young San Diego school teachers who are here to improve their Spanish while having a good time. This program offers two big advantages—it's short enough to take a few weeks off work and go, and it costs about a quarter of what the other programs do to get there.

How much work do you have to do? Well, the classes tend to be offbeat and deal with international problems likely to captivate your interest in a foreign environment. This may make learning easier. Some people learn better in a new environment, some need their own desk back home.

USD students get a number grade just like they do up "on the hill," but most of your classmates will be on a pass-fail basis. Your professors are aware that everyone is on a working vacation, and it seems a bit easier to bet by, but why not work hard, play hard, and make it the best summer ever? ARRIBA!



—PHOTO BY JACKI GARNER

LA FRANCE

by Bert Lazerow

With bad high school French, a Michelin guide, and a year of law school, you can follow Hemingway on a summer's moveable legal feast in Paris with credit transferred back toward graduation. The University of San Diego's Institute on International and Comparative Law in Paris offers this opportunity in 1978, after a 1977 summer where it had so many applicants it had to turn students away. Its 85 students included 2 law professors, and a group of foreign students who hailed from countries like Peru, Saudi Arabia, Vietnam, Japan, and, of course, a large contingent of students from France. While USD offers Institutes in Oxford and Guadalajara, Paris is the largest and most international.

What makes this a moveable legal feast? The opportunity to take classes from the foremost experts in the world in their subject matters, in small classes where you get to know them. A real introduction to continental legal systems. Getting to know France and the French well. And Paris (to say nothing of a casebook sprinkled with sand from the beach at Cannes, wrinkled from the spray

of Lake Geneva, and soiled by vin rouge at that cag on the Place des Vosges).

The courses provided a potpourri of public and business law. International Business Transactions, Comparative Tax, Comparative Law, International Human Rights, Energy Law, and Criminal Justice courses, taught by such experts as Covey Oliver of Penn, former U.S. Ambassador and Assistant Secretary of State; George Pigh of LSU; Tony Weir of Trinity College, Cambridge; Dominique Carreau, professor at Paris V who frequently teaches also at Michigan; James Fawcett of King's College London, President of the European Commission of Human Rights and former IMF General Counsel; and Herbert Lazerow of San Diego.

The French legal system was introduced by visiting speakers, but more important, by visits both to the courts of ordinary jurisdiction at the Palais de Justice, and the administrative Supreme Court, the Conseil d'Etat, at the Palais Royal, and to the close-to-the-public French Senate, housed in Marie de Medici's Luxembourg Palace. Each visit consisted of lectures, demonstrations, and often a reception offered by our French hosts. Students participated in a model

INTERNATIONAL LAW SOCIETY

Interested students are invited to attend the organizational meeting of the International Law Society on Thursday,

October 20, in Room 2-B of the Law School at 1:00 p.m. For more information call Isa: 565-8198.

France, cont. . . .

French criminal trial as witnesses and defendants. And there were visits to juvenile counseling facilities and to a French prison.

Touristic France was not neglected. Classes are located in a cultural oasis. A block to the east is the new modern art museum and library, the Centre Pompidou. A block to the west is the former Les Halles, the stomach of Paris, and the Rue St. Denis, where the world's oldest profession is making a comeback. Several hundred yards south is the Ile de la Cite, housing Notre Dame, the Conciergerie, the Palais de Justice, and the Ste. Chapelle, and equidistant to the west is the Louvre.

Students and faculty picniced at Versailles and organized trips to Chartres and the Chateaux of the Loire Valley, Rouen, and the champagne-and-cathedral country of Reims and Epervay, where Jean-Remy Chandon-Moet, head of Moet-Chandon, guided us through their caves, then took us to his family's estate, which includes the monastery where Dom Perignon invented champagne. Maitre Pierre Azard, the French coordinator of the Institute, invited the participants for an afternoon lunch at his country house in Normandy.

AND Paris. The cafe rendezvous, the world's finest urban transportation system, the large collection of great art, the curiosities, like the Gobelins, where they still make tapestries by hand as they were done 300 years ago, the sewer tours to commune with the spirit of Jean Valjean, the finest restaurants in the world, the quiet stones that have supported the church of St. Germain-des-Prees for a thousand years, tracing the footsteps of Franklin, Jefferson, and Tom Paine, the outdoor markets, Montmartre, Marie Antoinette milking Versailles' cows in the shadow of the guillotine, the parks, huge or tiny, the human scale of everything. As Hemingway said: "If you are lucky enough to have lived in Paris as a young man, then wherever you go for the rest of your life, it stays with you, for Paris is a moveable feast."

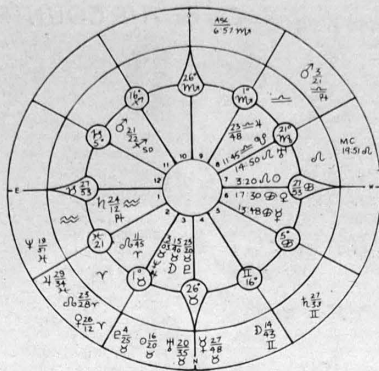


FIGURE 21A. Jung/Freud synastry

INNER CIRCLE: CARI JUNG
OUTER CIRCLE: SIGMUND FREUD

PROFESSOR WRITES BOOK ON UNIVERSAL LAW

by Jacki Garner

Professor Jerry Williams is not only a practicing labor lawyer and professor of labor law at USD, he also is a recognized student and teacher of astrology. While it is his wife, Nola, who is the highly competent practicing astrologer, Jerry performs his service to the science by his research, thought, teaching and writing. His book, *Contemporary Astrology* (Sherbourne Press, Nashville, Tenn. 37203), is being used as the textbook in the course entitled *Astrology and the Humanities*, which he is currently teaching at San Diego City College.

His book makes fascinating reading even for those who prefer to deride astrology rather than know anything about it. A couple of elements of Williams' style could be considered flaws by readers who are not firmly grounded in the author's academic experience: in a

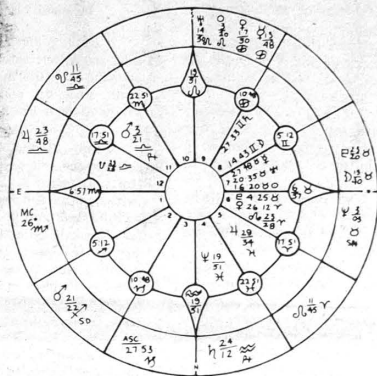


FIGURE 21B. Freud/Jung synastry

INNER CIRCLE: SIGMUND FREUD
OUTER CIRCLE: CARI JUNG

Clerking Under the Midnight Sun

ALASKA

by D.S. 3rd year student

The title reference is of course made to clerking in our northern most territory— that broad expanse of near total wilderness— Alaska. I had the fortunate experience of clerking in Anchorage this summer and as a consequence was asked to shed a little light on the subject.

All my impressions of the "last frontier" were unhesitatingly favorable. It should first be noted that Alaska has an absolute dearth of law schools, i.e., none. And hence it has a near equivalent lack of law clerks. This is fortunate because unlike the super-saturated clerking meat market in San Diego, law clerks are almost in demand in Anchorage. (Can you imagine?). A further and necessary consequence of the above is that all clerks (except a handful) are far-traveled immigrants. This fact and the increased cost of living is appreciated by the hiring firms, and is reflected in the rates of compensation paid. (A further notable distinction between San Diego and Alaska is that clerking on a contract basis there is more highly compensated than straight salary clerking for one firm. I believe in San Diego the rates are nearly comparable).

Salaries for the clerks I met in Anchorage ranged from \$1,000-\$1,350 per month. On the other hand, I met no one working on a contract basis for less than \$10 an hour and some of us were making \$20 an hour. Fifteen dollars per hour is probably about average for that type of work.

More good news. This windfall gain is not entirely offset by the outrageous cost of living either. Shooting from the hip, I'd say living in Anchorage is probably half-again to twice as expensive as in San Diego. But prices vary from item to item. Gas is only about ten cents per gallon more than here, while a head of lettuce can easily cost you one dollar. Rent as usual is the killer. Two bedroom houses are from \$400-\$650 a month. Two-bedroom apartments run from \$280-\$500.

But money can be saved. Anyone with several months clerking experience should be able to easle at least \$15 an hour on a contract basis. I say "waele" because one can't help feeling like he's pulling something off by receiving fifteen to twenty dollars there for the same work he does here for four or five dollars.

The night life of Anchorage hasn't the greatest variety of entertainment, however, if dancing and bar-hopping is your gig— you're in luck. There are an inordinate number and variety of bars and clubs ranging from the very kinky to the very swank, most of which stay open until 5 a.m. And for the hound dogs out there, yes, there are two or three of the local variety "Mom's," "Halcyon" etc.

The finest entertainment which the short Alaskan summer night has to offer is its phenomenal sunset. In June the sun sets around 11:30 p.m. and rises about 2:30 p.m. (Having seen the sunsets and sunrises of Hawaii and Mazatlan, I can honestly say they have nothing on those in Alaska). My experience was that the resulting 21 hours of daylight, with a few

hours of mere dusk, plays total havoc on the circadian cycles of most Alaskans. The desire to enjoy every moment of the light and heat the summer brings is no doubt brought on by the hibernation of the preceding winter (which has the complimentary 21 hours of darkness and a few hours of dusk at midday). As a summer clerk however, one reaps the benefit without the burden— an average daytime temperature — this summer was 65-80 degrees with sunny blue skies.

If you really appreciate the beauty of wilderness area and camping and fishing, then Alaska is a paradise— at least in the summer. If on the other hand, you are a total city slicker, you might not dig the semi-boomtown atmosphere of Anchorage. As a former psych grad, I hate to categorize people by any criterion; however, it goes to weight, not admissibility. But the commonly noted experience of many clerks was that the people they came into contact with generally seemed slightly less pretentious, less style-conscious than many in our southern city counterparts. It would not be unusual for an attorney to be in court wearing hiking boots, or in his office wearing Levis. The overall effect being one of less formality in the legal community generally. All the above observations are of course open to question as having been made through the eyes of a 3rd year student. And who can question the irreparable changes two years of law school has on one's perspective.

In any event, I recommend that those interested in full-time clerking positions

get their resumes and writing samples in during May. Many firms hire early and retain their clerks for the entire summer until most fly south for the winter.

For those of you with bravery, I would recommend arriving late in May or early June, seeking out those firms engaged in work you are familiar with— and offering your services on a contract basis. Don't be afraid to ask for \$15-\$20 per hour if your work is good because they are used to paying it even if you're not used to receiving it. Taking the latter approach, I was hardly employed for the first two weeks, but by the end of the summer I was turning down much work.

Russians Plagued by Regulations

According to the chief of protocol in the Soviet Union's Foreign Office, it's about time Soviet diplomats were taught some Western manners.

Eyodor Molochkov recently circulated the following tips:

- Do not spit bones out onto the plate.
- Do not talk with a mouth full of food.
- Don't drink too much wine.
- Don't read documents at the dinner table.
- Do not waddle, but stand erect and walk in a dignified manner.
- Do not wear pajamas or a dressing gown except in a bedroom or bathroom.

—From Parade Magazine

Universal Law

Continued from Page 7

Diego figures. For example, Lil Canaan, the former wife (and eternal friend) of San Diego Bar Association's PR man, Jack Canaan, was the brilliant, earthy astrologer who showed Williams a few things with her charts that neither medicine, psychiatry nor the law could hope to figure out with their systems of analysis and remedies. It would take someone new to the study to tell you whether, if ignorant, you would be helplessly lost in his astrological allusions. But, in his introductory chapters at least, that doesn't matter. Leave it to the advanced student of astrology to learn from and enjoy his intricate (accurate) analyses. The beginner can muddle through the complexities while enjoying the story, and maybe come back a few years and a few classes later and study these introductory chapters as the great lessons in chart analysis that they are. (We can be sure that Lil Canaan and Jerry's wife, Nola, supplied the greater portion of the daily-life-oriented astrological information, while Jerry produced the cast-of-thousands-of-academics-favorites).

Opening the book at random: "The sense of absurdity of Man's condition actually began in the seventeenth century when as Bertrand Russell has observed, 'Almost everything that distinguishes the modern world from earlier centuries is attributable to sciences...'"

—and, "Did he agree with the widely quoted statement by Carl Jung that 'astrology represents the summation of all the psychological knowledge of antiquity?'"

—and, "The Regiomontanus house system was the invention of Johann Muller, professor of astronomy at Vienna in the fifteenth century."

—and, "As an archetype, Aquarius is very much an expression of humanitarian love, Agape, rather than Eros. Aquarian love encompasses the entire world and all its creatures — all the things embraced in that strange new word 'ecology.'"

—and, "In *Love and Death in the American Novel*, the seminal work of literary criticism which is well on its way to becoming a classic, Leslie Fiedler points out that the novel form itself is a tribute to the Great Mother or the Eternal Feminine, stemming from the conventions of courtly love which flourished in the Middle Ages."

—and, "Or consider the case of Muhammad Ali, born Cassius Clay in Louisville, Kentucky, January 17, 1942, when the son was in late degrees of Capricorn. Clay demonstrated Capricorn ambition by achieving material success in one of the few ways then available to black men in this country: as an outstanding boxer."

For a gourmet of ideas, Williams' book is an elegant feast. The incredible abundance of biographical information shows the astrologer's constant preoccupation with personalities as well as destinies. The wonderful web of comparative religion shows how religions (and metaphysics) like the races of men, are various in form and character, but identical in essence. Even the blindest cynic cannot help but be entertained and educated by this vast collection of information.

OVER THE COUNTER CULTURE



MARX BROTHERS AT GLOBE

by Randal Neal Cohen

It is filling that *The Last of the Marx Brothers* Writers should make its world premiere so shortly after Groucho's death, since the play is a tragic farce tribute to the mustachioed comic.

Victor Buono gives a virtuoso performance, often reminiscent of Zero Mostel, as Jimmy Bryce, the last surviving write of Marx Brothers comedies. Bryce, a pitiful over-the-hill specimen, has been holed up in a dingy hotel room for the last sixteen years. He is dying as the curtain opens, though he by no means plans on slipping quietly into the night. Bryce wisecracks endlessly in a self-mocking reflection on his tragic life.

Sequences of sheer fantasy intermingle with flashbacks of his dismal past. Marx Brothers suddenly appear from the closet or from under the bed. All of this tomfoolery is woven expertly with two other strands of action.

Lucid and poignant glimpses of Jimmy's real past pop up. For example, Jimmy visits his wife (played with understanding by Alice Upjohn Macloy) in a mental institution where he does old vaudeville gags to humour her flighty mind, and tells fabulous lies about his nonexistent career to comfort her worrying nature. Buono performs these scenes with a complexity of mixed emotion which makes Bryce a fascinating character.

The third strand of action is the scenes of the present. After sixteen years without work, a man from a major studio phones Bryce to ask him to tutor a whiz-kid comic one-third Bryce's age. "Why not use my scripts? I've got a trunk-full," wonders Bryce, as he swallows his pride out of intense loneliness and a hunger for even-token recognition. He agrees to tutor Frank Clandenberg for \$15 an hour. Bryce spends a great deal of time waiting for the youth. The longer

the wait, the more obsessed Bryce becomes with Clandenberg's absence. Every minute of tardiness wounds this already tortured ego.

Most of the fantasy-farce is supplied by Buono working with Sandy McCallum, who plays the parts of all three of the Marx Brothers. McCallum, a diminutive, athletic actor, is still somewhat erratic in his Groucho interpretation (Groucho appears far more than Chico, while Harpo appears only once), which ranged from a dead ringer to somewhat unconvincing. In addition, the timing in some of the physical vaudevillian comedy (Bryce's and the Marx Brothers' roots) was a little sloppy, but these problems will undoubtedly vanish as the run progresses.

Often Buono and McCallum did connect, and the results were hilarious. Playwright Louis Phillips has a genuine love for the old stage comedians, and his bits are inventive yet faithful. The occasional flops are bound to happen when stars are reeled off at such a dizzying rate.

Phillips' use of farce and tragedy, his quickly paced scenes and demanding lead roles make him stylistically similar to playwright Tom Stoppard (*Travesties* and *Rosencranz and Gildenstern are Dead*) without quite matching the British writer's command of the language or brilliant intellect. Still, *Marx Brothers* gives great cause for hope in Louis Phillips. With America producing so few top-notch playwrights, this production is extremely welcome.

Phillips gets excellent support from director Craig Noel, whose uncanny sense of pace helps define the tone of the production. Peggy Kenner's set achieves a sufficient feeling of claustrophobia and stagnation. Above all, Victor Buono delivers a stellar performance as the forgotten Bryce pining away in his room with only the happy product of his wild imagination and the melancholy images of his past to keep him company. Buono makes us laugh while not letting us quite escape the tragic undercurrents of the amusing skits.

It has been suggested that Bryce symbolized Groucho himself, degenerating with age even as he spews a trail of wisecracks behind him.

In Bryce's last gasping fit at play's end he reaches blindly for an object to clutch and his hand falls on the tragicomic mask of Theatre. With effort he places it over his wheezing face. As the wheezing suddenly ceases, the audience is caught in a spellbinding theatrical moment and a chill rises up each spine as the mask stares back at them—the last image of this important new play.

The Last of the Marx Brothers Writers plays nightly except Monday at 8 p.m., plus Sunday at 2 p.m. at the Old Globe theatre in Balboa Park. Run ends November 6th.

Theatre critic Jonathan Saville of the Reader raved about the Old Globe's production of *That Championship Season*. In an articulate review he calls Jason Miller's script a work of art designed to "make you think a little more about the world you are living in." I would not go so far.

The play is about a twenty ear reunion of the Pennsylvania State High School basketball champions and their winning-is-everything coach. Things have gone downhill for all the "boys" since that fabulous season, and so they relive the final game with desperate ferocity.

Kack Krill portrays George Sikowski, now the mayor of the small town where the action occurs. George is doomed to lose his reelection bid after a disastrous term in office. Despite this, George truly believes that the town loves him. Krill plays the insecure mayor with great attention to detail: the shirt tail nearly hanging out, the pants too long, the clumsy movements, and defensive body language.

Equally a loser is George's campaign manager, James Daley, the principal of the town's junior high school, played by J. Stanley Nesnow. A mediocre, easily intimidated man, Daley also has delusions of grandeur. Mark Yavorsky portrays his cynical, alcoholic brother.

Allan Singer does a fine job as Phil Romano, the successful businessman who unsuccessfully seeks happiness from fast cars, women, and the power which comes with money. He is the first crack in the solidarity of the "team spirit." Romano reveals that he plans on throwing his financial support to George's opponent in order to save his business.

This is only the beginning, as each team member bemoans his fate while backstabbing his friend. The coach, played by Sheldon Gero, tries to rally "his boys" together with all-American philosophy. Team-work is the only way to win. "Don't settle for anything less than success, and that's a philosophy not a slogan," the coach cries as he liberally spits out winning-is-the-only-thing clichés.

The casting is ideal, with each performer portraying his character with startling verisimilitude. Jack Krill is especially brilliant. Arthur Wagner's direction, though a little busy in the opening moments, brings a depressing realism to the production. But after an hour of hearing these self-pitying creatures gripe, one wants them all to just shut up. Without sympathy toward the characters, the play loses its emotional impact and must rely on black humour to score its points about sports, winning, and America.

With Harold Pinter, Peter Schaeffer, and other great modern playwrights utilizing realism, there is a sense of moving toward some agonizing climax. Here, there is only a quagmire of emptiness and loss, starting from nowhere and going nowhere.

DEDICATION DAY CALENDAR

Program and Schedule of Events Monday, Nov. 7

10:15 A.M.

Dedication Ceremony — By Invitation Courtroom, More Hall
Dedication Address — Milton Friedman

1:30 P.M. — 4:30 P.M.

California Supreme Court Session in New Chambers
Presiding — The Honorable Rose E. Bird, Chief Justice
On a first-come basis

6:30 P.M. — 7:30 P.M.

No-Hot Cocktails Vacation Village
7:30 P.M.Community Dinner Vacation Village
\$25.00 per person — Everyone is encouraged to come.

RESERVATIONS PLEASE.

8:30 P.M. — 9:30 P.M.

Speech — Milton Friedman Vacation Village

WOOLSACK CALENDAR

Oct. 20

Republican candidates for city council, Bill Lowery (3d dist.), Fred Schnaubelt (5th Dist.), and Larry Sterling (7th dist.) will appear at the meeting of USD College Republicans. Each candidate will speak briefly and answer questions in an informal setting. If you want to work on a campaign, this is your chance — elections Nov. 8. You may also wish to join the club (law students welcome — contact Flint Lewis, USD, P.O. Box 2134). Come to the "L" lounge, next to Camino Theatre in Camino Hall at 5:30.

Ascent of Man series, Ray White, "Newton—Einstein, Two Revolutions," Salomon Lecture Hall at 7:30

Environmental Law Meeting, 12:15, Room 18

Oct. 22

Hand-crafted items will be on sale at the Sacred Heart Alumnae Boutique in De Sales Dining Hall at USD. Funds to USD scholarship fund for undergraduates. 7:30 pm

Oct. 27

Ascent of Man series, Kathleen Dugan and Richard Phillips, "The Energy Crises: The Empty Cornucopia," Salomon Lecture Hall at 7:30

Oct. 28-29

"Who Owns the Coast," discussion of individual rights v. public ownership of the coast. Friday, Oct. 28 at 7 p.m. and Sat. Oct. 29 at 9:30 am in Salomon Lecture Hall. Fee for refreshments, materials and lunch. Attorneys and environmentalists invited, open to public. For more info, contact Janel Motley in Law School.

Oct. 28-30

Law Students' Civil Rights Research Council Convention to be held in New Orleans. Contact minority law students for more info.

Nov. 1

"Crime and Justice in America" continuing series, today, "Criminal Justice and the Alien." Attorney Ramon Castro; Jessie Ramirez, Executive Director Chicano Federation; Ass't Police Chief W.D. Nyhus. 8 pm in Salomon Hall.

Nov. 3

Ascent series, Dessie Severson, "The Long and Short of Evolution," 7:30 Salomon Hall.

Environmental Law Soc. meeting, 12:15 in Room 1 B

Nov. 7

Dedication ceremonies, Law School Courtroom, More Hall, Third Floor. California Supreme Court Session in New Chambers 1:30-4:00 pm

Milton Friedman, Nobel Prize winner, speaks at banquet co-sponsored by USD Law School and San Diego Chamber of Commerce. Vacation Village. 6:30 cocktails; 7:30 dinner. Tickets through Chamber of Commerce.

Nov. 8

Crime series, tonight, "Prisons — Crime Controllers or Producers." Judge Ross G. Tharp; Ramon Masnas, Coordinator, Model Ex-Offenders, Inc.; Samuel Beses, Director, Volunteers in Parole. Salomon Hall 8 pm

Nov. 10

Ascent series, today, Ray White, Ph.D. "Elements and 'Elementary Particles,'" Salomon Hall 7:30 pm

Phi Delta Phi Legal Fraternity Bingo Night, Watch for details.

Nov. 14

Bob Hope scholarship benefit, Camino Theatre, 8 pm. Sponsored by Speakers Bureau. Advance Tickets by mail: Golden Circle \$50, Silver Circle \$25. Gen admission tickets on sale Nov. 1 at \$5.

Nov. 15

Crime series, tonight, "Pre-Trial Detention: Bail or Jail?" D.A. Edwin L. Miller; Jerry Enomoto, Dir. Corrections; Bill Ott, San Diego Union reporter; Dr. June Tapp, Revelle College Provost, UCSD. This lecture, Third College Lecture Hall, UCSD, 7:30 pm

Nov. 17

Ascent series, tonight, Salomon Lecture Hall at 7:30, Dwight R. Bean, Ph.D. and Ray H. White, Ph.D. "Uncertainty."

Nov. 19

Minority Law Day at USD

CAMPUS CULTURE

ART

Continuing through December 16: MARIA LENCH "Dimension in Texture" Founders Gallery. Weekdays 10 am to 4 pm. No charge

November 1

Exhibition and sale of prints from Roten Gallery, Baltimore.

MUSIC

Mini-concert series in French Parlor, Wednesdays, 12:15-1:00 p.m. No charge

November 9

WIND MUSIC OF THE BAROQUE 17th Cent. music performed by organist Kenneth Herman, Ralph Dudgeon, Baroque trumpet, and bassoonist David Savage.

November 16

MUSIC OF THE FRENCH BAROQUE. Cellists Marjorie Hart and Lori Kirkell, and harpsichordist Marjorie Rohlfleisch offer works of Barriere and Couperin.

November 23

BACH'S GAMBA MUSIC. Cellist Paul Anderson and Marjorie Rohlfleisch, harpsichordist.

November 30

A HANDEL RECITAL. Virginia Lingren, soprano; Lynn Schubert Sachdeva, flutist; Marjorie Hart, cellist, and Marjorie Rohlfleisch, harpsichordist in concert.

IRISH HISTORY SERIES

November 2

Union; Famine; Beginning of Home Rule. Films: "This is Ireland" "Man of Aran"

November 9

Parnell Period — 1875/1891. Film: "Parnell" with Clark Gable

November 16

Political Alternatives to Home Rule: British and Irish

November 23

The Rising; Easter Rebellion; Post WWII Revolution. Film: "Shake Hands with the Devil"

November 30

Treaty and Civil War. Film: "The Informer"

December 7

The Two Irelands — What Now? Film: "CBS Special on Ulster" — Orange Room, Founders Hall. 8:00 pm. For further information contact Mal Rafferty, Conference Center.

DEPARTMENTAL OFFERINGS

Psychology

November 14

JANE GOODALL Film Series presented by USD Psychology Club. Salomon Lecture Hall

November 28

6-8 pm. Newly released films include "Primate Behavior" and "Tool Using."



—PHOTO BY JACKI GARNER

"Lost and found tribes break bread."

CO-MINGLING OF STUDENT/ALUMNI FUN

The USD Alumni Luncheon on Tuesday, Sept. 27, was one of the many shimmering events of the State Bar Convention held here in San Diego. There was little room at the top that day — seats in the Terrace Room of the Executive Hotel were hard to get. Melinda Lasater and Nan Oser put the whole thing together. Present in the audience were the Honorable Judy Keep, Mary Gell, Vic Bianchi, Nap Jones, John Gudmunds, and Herb Katz, all alumni turned judges. There was a good reason for so many people to show — including representatives of Law Review, Moot Court, SBA and the Woolsack.

There was a star-studded cast of performers, highlights of whose performances are as follows:

LEVINE: "When I found out I was not the only professor invited to speak, I tried to figure out what common thread ran through the list of those selected (Kerig, Wong, Lazerow, Bratton, Winters, Englefeld). Common style of clothing? No. Common sensitivity to student needs? No. Finally, I decided there was none."

KERIG: (with his arm under his shirt, said arm having been dislocated at the shoulder from a body surfing mishap). "This is a law school that cares about people — and we're small enough to do it."

THE LAZ: "This is very difficult for me because I can't talk about wild animals and I can't ask any questions, so what can I do?" He told us that USD will offer Masters Degrees in Criminal Practice, Tax and Comparative Law (the first two will be creditable to California specialty programs in those fields), as soon as we get the ok from the American

Bar Association. (It appears the only problem is with the tax faculty).

BRATTON: After raving about the third floor construction, he assured us that, "It's not the little school on the hill any more."

ENGELFELT: Took off his jacket, rolled up his sleeves, and told us, "It's true, there's no such thing as a free lunch. —They're tearing up the place again — well, that's nothing new. —The real dean is off someplace on a sabbatical, no-one knows what he's doing, so that's nothing new. —Philbin is off learning how to be a warrior, but he misses his toy planes." And, addressing the audience, "You're out there saying, Engfelt, I don't give a — what you think. I'M RICH. I'M RICH."

WINTERS: "It isn't fair to put me up after Frank. After Daryl, maybe, but not after Frank." ("Sit down," said Lynn Shenk, former Alumni president, from the audience). "There's probably a split of authority on that," said Winters.

WONG: "Take all the money you have to Las Vegas, place it on red, and you've got a fifty fifty chance of making some money. Buy a \$1 million insurance policy against all your fellow lawyers who are willing to sue you at a drop of a pin. The toll free number for tax-exempt mutual funds is, 800-.... Another tip I have is to stay out of the stock market. Why? Well, because the experts don't do as well as a monkey with a dart. ...the obvious solution is to HIRE a monkey with a dart. My last tip is to buy American Dual-vest. Just on my recommendation alone it's going to go up 5 points."

Alumni President Howard Wade closed with the comment that "Not much as changed around here, obviously."

Dedication Ceremonies

by Nan Oser

There is excitement in the air, a twinkle in the eye, and a telephone beginning to buzz about the forthcoming festivities. November 7th will see our new courtroom dedicated. Nobel prize winning economist, Dr. Milton Friedman will present the major dedicatory address. A special California Supreme Court session will be conducted in the afternoon.

Invitations to the morning ceremonies have been sent to dignitaries and major contributors to the construction project, who are expected to more than fill the courtroom. However, a video picture of the proceedings will be transmitted to rooms 2A and 2B to accommodate all who wish to observe the proceedings.

The afternoon Court session will also provide video transmission to Rooms 2A and 2B. Actual courtroom seating will be on a first-come basis utilizing three separate points of distribution and color-coded tickets reflecting the three cases to be heard. With the Court's permission, the room will be cleared after each case, therefore providing the opportunity for 300 individuals to view the functioning of the Court in person. Ticket distribution to view the functioning of the Court in person. Ticket distribution will begin at 8:00 a.m., Monday morning, with only one (1) ticket given to each person. Individuals will be required to sign for their ticket.

The evening will be highlighted by a keynote speech by Dr. Friedman. The dinner is co-sponsored by the San Diego Chamber of Commerce and the University. PBS will tape the entire event, including a question-answer session with Dr. Friedman. Reservations can be made by calling 291-6480 Exts. 217/408/354.

Potluck. All women are invited to attend a Women-In-Law potluck dinner on Sunday, November 6 from 5-8 pm in the SBA Lounge. Several women attorneys have been invited and child-care will be provided (contact Liz Nessler at 277-0346). Please come and bring a dish. Let's get together!

HALLOWEEN PARTY - OCT. 29 - WRITS

by Mark Speck

The baseball revival has infected the USD graduate league, resulting in its expansion to fourteen teams this fall, the largest number ever. With the season barely underway, the races in both divisions appear to be wide open. Talent is distributed throughout the league and a plethora of new clubs threaten to challenge for playoff positions.

In the Northern Division, Rob Rosen's The Runs are the early frontrunners. It has one of the league's premier pitchers in Howard Susman and, as its name indicates, it has produced runs in abundance. The only other undefeated ballteam is Nasty Torts, a group obviously solidified by off-season trades which produced such veterans as Paul Weinberg and Ed Schroeder. Well Hung Jury, offering experience and organization, will certainly be a factor, particularly if the battery of Randy Magnuson and Stan Snyder can ever get their signals straight. A first year club, The Team, could present problems for the veteran units if it can avoid losing the battle against classes, a malady which rarely affects second and third year teams. The Backstabbers, who figured to place high in the standings, dropped its first two outings. However, the powerhitting of Bob Rosemeyer and Hector Apoldac may yet provide the catalyst for a winning season.

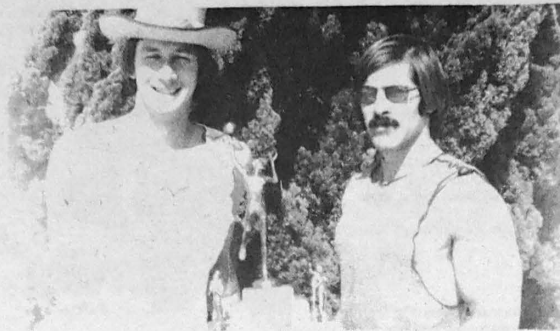
The Southern Division is slightly more delineated in terms of team strength. The class of the division looks like Pacers Par Excellence and Tetracycline Men. Pacers hopes rest on the fine arm of Steve Halsey, in addition to some timely hitting by Jack Jacobsen and Dougger Morelli. Chip Clowney's Tetracycline club beefed up over the winter and should be in contention to the finish. Scott Abel is a capable pitcher, and the team looked solid in each of the games to date. The Sticky Briefs have been sloppy defensively, but may yet prove to be a dark horse. The Southern Division also features the phantom, Street Shoes, whose lineup varies almost as frequently as Padre third basemen. This year's league sorely misses the sterling play of Reuben and the Jets, many of whose players were grabbed in the dispersal draft.

League Standings as of

October 13, 1977:

Northern Division

The Runs	2-0
Nasty Torts	2-0
Well Hung Jury	1-1
The Team	1-1
Boy Wonders 1-1	
Kangaroo Kourts	0-2
Backstabbers	0-2



Women killers — Rogalski and Speck.

SPORTS

Southern Division

Pacers Par Excellence	2-0
Tetracycline Men	2-0
Sticky Briefs	1-1
Who Needs A Name	1-1
Street Shoes	1-1
Foul Backs	0-2
C-Squad	0-2

As the most talented assemblage of graduate football teams in USD history move into the critical portion of the season, the divisional races are beginning to take shape. Five squads are in particularly strong position to claim playoff berths as the season enters its final three weeks. The Western Conference has developed into a two-team struggle between Gene Yale's Clean Hands and the powerhouse Rolling Machine. Both squads boast perfect 4-0 records and have looked impressive in dispensing with the competition. The Rolling Machine was a heavy favorite to capture its division and it has yet to be seriously challenged. However, Clean Hands continues to improve, following a stunning upset of highly-touted Phi Delta Phi, and the Machine may have its hands full when the two unbeaten collide on October 30. Well Hung Jury has had some problems dealing with the stiffer competition, but it still appears likely to hold onto third place in the West.

The Eastern Conference features a heated race between three ballclubs. The Sticky Briefs maintain a precarious hold on first place following a narrow 14-12 victory over the Scheisters, who slid to third. Meanwhile talent-laden Phi Delat Phi remained just one game behind the Briefs at 3-1. The Briefs and PDP will also

clash On October 30, probably to determine the Eastern Division title, although the Scheisters are still in serious contention.

League Standings as of

October 15, 1977:

Western Conference

Clean Hands	4-0
Rolling Machine	4-0
Well Hung Jury	1-2-1
Who Needs A Name	1-3
Amal. Dysentery	0-4

Eastern Conference

Sticky Briefs	4-0
Phi Delta Phi	3-1
Scheisters	2-1-1
Pacers	0-4
Things-In-Action	0-4

Games You Shouldn't Miss

October 16

12:30 pm Scheisters v. Phi Delta Phi
5:00 pm Rolling Machine v. Sticky Briefs

October 30

12:30 am Rolling Machine v. Clean Hands
2:00 pm Sticky Briefs v. Phi Delta Phi

"Ivory" and "The Force" came out on top last weekend, as twenty teams vied in the Second Annual 3 on 3 Basketball Tournament in two divisions (Open and Under 6').

6) The I.M. Department wishes to express thanks to the SBA for channeling some of its funds to help improve the quality of the Sports' program offered to the USD Law students.

Undaunted by the overwhelming odds and still able to negotiate fast breaks despite the pre-game beer fest as Billy's, the super tandem of Mark Speck and Dave Rogalski upset the USD women's basketball team last Friday by the score of 80-66. Neither the highly partisan crowd nor some questionable officiating could slow the onslaught of the talented duo. Starting quickly, Rogalski and Speck built a 26-12 lead which they never relinquished. Though outnumbered seven to two by their opponents, the men consistently frustrated the USD coeds with a tenacious 1-1 zone defense. On offense Rogalski was Mr. Everything, tallying all eighty points by connecting on 40 of 57 attempted shots. Defensively, Speck refused to allow any penetration by the girls, blocking 32 shots and hauling down 51 rebounds. The resounding victory should give the dribbling twosome substantial momentum for their upcoming struggle against the East German Women's Olympic Team.

1) Mark Speck's Coed Football Team has advanced to the semifinals of the tournament after taking a coin flip victory in their first game.

2) Several Law students are involved in the Coed Softball League which plays Sunday afternoons.

3) It is my unpleasant task to announce the death of the women's Softball League due to the fact that three of the four teams in the league have forfeited two weeks in a row — despite the efforts of Terri Rippier to get Law women involved — it appears they don't have the strong character traits or the physical means to turn out once a week for some good, clean recreational activity. No team spirit!

4) The canyon marathon is approaching — (3-mile run). Deadline for entries is November 2 — a \$1.00 registration fee will be charged. The run will take place Friday afternoon, November 4 in Tecolote Canyon. The finishing line will be at the undergraduate T.G.I.F. where plenty of beer should be available. T-shirts will be given to the top finishers.

5) The annual Fall 5x5 Basketball Classic will be held the week of November 13-20. Games begin Wednesday, November 16. This is an open tourney in which any Law or undergraduate team is invited to enter — each team will play at least two games. Entries open November 1 and close November 11 — Each team will be charged a \$3.00 entry fee. This should prove to be an exciting tourney.

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LIFE SUPPORT SYSTEMS

by Kathryn J.V. Raffee

Every year it becomes harder for those unblest with limitless wealth to make it through law school; tuition steadily increases while federal and state financial aid programs are reduced. Banks, discouraged by the high default rate on Federally Insured Student Loans, are backing out of the program altogether or sharply cutting back on loan funds.

Fortunately, students have not as yet been denied public assistance as a class. Unless one qualifies for Aid to Families with Dependent Children, it is well-nigh impossible to get cash assistance from a state or federal agency. There remains, however, two programs of use to the law student: Medi-Cal and food stamps.

Medi-Cal

MEDI-CAL: is California's name for Medicaid, the federal, state, and county program of medical assistance for needy and low-income persons of all ages. The program draws on tax revenue to defray or completely cover certain medical expenses of eligible applicants.

Generally, law students fall into the agency classification known as "medically indigent." This category is reserved for people ineligible for AFDC automatically receive Medi-Cal). To assure that only those truly in need receive benefits, Medi-Cal will be denied to persons whose income and assets exceed certain limits. The applicant may have up to \$600 cash, banking accounts, stocks, bonds and the like; personal property — such as motor vehicles, life insurance and musical instruments — may not exceed \$1,000. The limit on real property, including a home, is \$5,000 assessed value less the amount owed on the property. If the applicant's income exceeds a certain monthly amount (a figure which changes frequently and is subject to many

variables, including "debt worth"), the applicant may have to pay a part of his or her income toward medical expenses before Medi-Cal will begin to pay. It is important to note that loans are not generally considered income.

Medi-Cal is designed to cover necessary, rather than elective, medical expenses. Plastic surgery, for example, is not covered, and the patient may be required to pay out-of-pocket for "extras" like certain pain-killers or white porcelain fillings for front teeth.

Many medical expenses are covered, including most physician services, gynecological and obstetric needs, eyeglasses, inpatient hospital services, and dental care ("necessary" dental expenses include fillings, extractions, cleaning of teeth and a full set of dental x-rays). Medi-Cal will also cover the full price of certain limited prescription drugs.

Even if the applicant has other medical insurance, Medi-Cal can be retroactive for up to three months (though it is wise to apply for aid before the end of the month in which the expense was incurred).

Not all doctors are willing to deal with the bureaucratic problems involved in collecting for services from the government; consequently, it is essential that the Medi-Cal recipient check with the doctor or dentist in advance of treatment to insure coverage.

Food Stamps

These handy coupons may be used in lieu of cash at most markets; they are for the purchase of food only (no tobacco, alcohol or paper goods) and may not be used in restaurants or to purchase food "to go."

The federal government sponsors the food stamp program, and if the applicant meets the eligibility requirements there is a legal right to apply for aid.

The applicant may be considered alone, with his or her family, or with a

group of persons who buy, store, and cook their food together and share expenses. To be eligible one must be a resident of the county from which aid is sought and have access to cooking facilities. The applicant(s) may not have more than a total of \$1,500 worth of assets, such as cash savings, bank and checking accounts, U.S. savings bonds, stocks, and bonds. This does NOT count one's home, lot, car, life insurance, household goods, or personal belongings (if the applicant lives with at least one other person who is applying for food stamps also and one of said applicants is 60 or over, total assets may be \$3,000).

As with Medi-Cal there is a limit set on income; the Welfare Department is extremely reluctant to part with information contained in eligibility tables, and the tables are changed at least twice a year anyway. Basically, income is determined by subtracting from total income certain deductions such as taxes, medical costs, and certain child care and housing costs. Full-time students are not required, as are other applicants, to register for work with the State Employment Development Department, but part-time students may be required to do so.

Once income has been determined, the county determines what pro-rata portion the applicant is to pay for food stamps. Necessarily, this varies widely in accordance with the resources of the individual. If classified as an "unstable income" applicant, one must reapply monthly (rather than every three months) for food stamp benefits.

Food stamps may be purchased directly by mail from the county (by money order or certified check) or through agents such as banks, credit unions, or post offices.

Procedures

There are several welfare offices

serving San Diego, so before wasting many precious hours at the wrong office call or write the central office to determine the appropriate regional branch for the applicant: San Diego County Department of Public Welfare, Room 298, County Administration Center, 1600 Pacific Highway, San Diego 92101 (714 — 239-7711).

After finding the appropriate office — and usually after a lengthy wait — the applicant will be interviewed by an eligibility worker (some offices insist on two separate interviews). Reams of detailed forms for Medi-Cal and/or food stamps must be completed, verified and signed by the applicant (in addition to criminal penalties for fraud, a "chisler" may be required to recompense the agency for benefits wrongfully received).

When applying for any aid, applicants take note:

*Take papers such as recent wage stubs, earnings and deductions statements, educational grant and loan award letters, proof of price and payment of tuition, Social Security or Veterans award letters, your Social Security card, and self-employment bookkeeping records which show your income and the income of each person you live with.

*Take a list which shows how much you and the persons you live with pay for rent, utilities, phone, and doctor bills. Bring receipts and bill stubs whenever possible to avoid unnecessary delay in receiving benefits.

*If you cannot apply for aid yourself because of work, health, or a specific transportation problem, ask a responsible adult to apply for you; be sure that person takes all of the information described above to the welfare office.

This is a time-consuming process, though well worth the effort, so bring a good book and relax while you wait.

JALISCO

Continued from Page 1

want to be interviewed or identified. Many did not want their families or employers to hear they were jailed in Mexico.

It was difficult to discern a common character among our hosts. Most appeared anesthetized to their environment and seemed bored yet somewhat cautious in talking to us. Somewhat surprisingly we found ourselves answering questions about res judicata and not the Super Bowl. Only the gun runner was beyond empathy. His primary concern was to "get an M 16 as soon as possible and blow away all the Mexicans I can."

Time seemed proportionless to the prisoners. Years took on a time value I ascribe to coffee breaks. One prisoner showed me a "recent" letter 18 months old. Another talked of "only" 3 more years to serve. The consensus of opinion was that most Mexicans could buy their way out, but that Americans always served their full term.

THE PHYSICAL AND MENTAL welfare of the Americans seemed directly related to each prisoner's ability to cope with his environment and to understand and exploit the power structure within the prison. Vigilante groups and drug gangs are in constant conflict and must be appeased and avoided. One American thought that "at least 1 out of 3 Mexicans in this joint are on smack." Prison trustees must be bribed and contended with. Because of this, most Americans keep to themselves and pursue a low profile. Either friends or enemies among non-Americans can be dangerous. Safety is best achieved by an understanding and assimilation of the Mexican culture.

The American prisoners were either in desperate straits or living very well. Some made the prison structure work for them: others failed to fit into the prison routine or even learn Spanish.

Two inmates from San Diego were living particularly well. They had purchased a large well-lit cell which was decorated like any college dorm room. Indian tapestries and rugs adorned the walls in coordinated color schemes. By their own key, they entered a cell supplied with a cooler of beer, the complete works of Tolkein, and a liberal supply of tapes for their stereo system.

To maintain this opulence the pair had successfully developed an image as holy men. They dressed in long white cotton robes and wore white beanies and sandals. Through a series of key bribes they had obtained a bakery. The enterprise is funded by outside capital from their families. Ingredients are purchased from the outside and several hundred rolls are baked daily. The bread is then distributed free to particular groups within the prison. "The Mexicans think we're totally freaked out and no one hassles us."

But most other Americans are not so fortunate. The horror stories of brutality and terror are all true. One American had been tied naked to a bed and beaten daily for 3 weeks until he signed a marijuana confession. Another had been kept in a rat-infested bathroom for 70 days, with only water from the toilet to drink.

At least 3 Americans appear to have been framed. Two brothers from LA were driving to Lake Chapals when they were stopped in the mountains by a dozen horsemen with rifles. At gunpoint they were forced to load several bundles on the truck and drive away. Less than 1/4 mile around the corner was a Federalie roadblock where they were stripped of their possessions and beaten. For several months they were tortured and starved. When one became completely incoherent he was shipped away to Mexico City and has not been heard from for the last 14 months. He is 6'5" and weighed less than 100 lbs when last seen by his brother.

IN APRIL AND JUNE last year riots prompted by competing gangs and graft resulting from the trustee system swept through the prison. 17 inmates were killed and much of the prison was damaged. For their own safety the number of Americans was reduced from over 40 to about 10 in September. In October of this year, similar grievances spurred a riot that has killed 17 and given the prisoners complete though temporary control of the prison.

"Sure, people escape from here all the time" one prisoner said. Both tunnels and direct assaults on the wall have been successful. "But I wouldn't try it." Unsuccessful attempts usually result in machine-gunned corpses tangled in the wire atop the wall.

UNDER THE TREATY, Americans convicted in Mexico must serve the same sentences in a US federal prison that they would have served in Mexico. This raises questions of due process and Constitutionality. Furthermore, only convicted prisoners will be exchanged. Several Americans have been imprisoned years without a conviction and may not be eligible.

At least 5 Americans were not in favor of the treaty. Several, including some who had served time in the US, felt that Mexican prisons are more humane and a better place to live. Mexican prisons have fewer problems with race and homosexuality. Greater autonomy is present and drugs, liquor, and female companionship are available. Most valued the anonymity of a Mexican conviction and did not want the criminal record that would result by serving a sentence in the US.

Most other Americans, however, were desperately in favor of the treaty under any conditions.

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OUR 4 HOURS WITH our prison hosts left us with a general idea how not to join their ranks. First we observed that although there are over 30,000 Americans domiciled in Guadalajara, including 2,000 American medical students, not one inmate was from Guadalajara. Every single problem with the Mexican police had occurred on the road. Extreme caution and respect for Mexican law must be exercised while in transit. In any event, any problem with the authorities should be settled as soon as possible, preferably with the officer making the contact. Tactful bribery is appropo and usually necessary on the spot. In a serious confrontation, it is absolutely necessary to immediately pay whatever amount might be demanded.

Mexico itself is changing. In late May the Mexican Justice Department issued the equivalent of an Attorney General's opinion to the effect that there will be no prosecutions for possession of less than 100 grams of marijuana. To my knowledge this has been followed. Finally, the forthcoming passage of the prisoner exchange treaty beckons a new era of keeping Americans out of Mexican jails.



—PHOTO BY JACKI GARNER

PRISON FRANCAISE

by Paul Weinberg

Incarceration in France is anything but inhumane. To many, however, it is the motivating factor for the taking of their own lives. To others, it is an extremely effective deterrent to the commission of crimes. To still others, it is simply a place of work. What is it about French prisons that makes life in them so different for different people?

This past summer I had the opportunity to visit a "model" prison in a small suburb of Paris located about half an hour's drive from the center of the city. Let me take you on a guided tour.

Entering the prison my freinds and I are met by the prison warden. A handsome, well-dressed man of about 50, with graying hair and a quick smile (he is anything but the stereotype of a man responsible for the confinement and detention of some 850 men). We enter the receiving room, iron and steel structure with huge panes of glass facing the entrance. After leaving cameras and purses with the guards we are escorted into the prison and to a conference room. We are shown a model of the prison. It is structured much like an old buggy wheel; a center area with five spokes radiating to five separate smaller facilities. Physical recreation areas comprise the space between the spokes and each of the small facilities is isolated from and closed to the other four. All can be reached only through the central core. This is done for security reasons. All persons entering the prison and its areas will be searched before entering and upon leaving. One of the small "spokes" is a maximum security area, another is reserved for those awaiting trial. All men in all of the facilities are provided with the same facilities and living conditions; the differences lie in security and visitation rights,

We leave the conference room and are escorted to one of the "spokes." I am both surprised and puzzled by what I see, for the cells are brightly lit, spacious, clean, and provided with separate facilities for each occupant. After having seen several cells I notice that all of them have room for only one occupant. It is then I begin to understand why criminals and lawbreakers fear this prison. Upon questioning the warden I learn that all prisoners eat separately and sleep separately. Books are provided, music is piped in, but fraternizing is not allowed. The deterrent here is one of the most powerful to all men: prolonged solitude without human companionship. The warden tells us later that the suicide rates in prisons in France is their greatest problem. Not riots, security, lack of cooperation from the prisoners, but suicides.

We are led down the corridor, away from the cells, and into the medical

facilities. There are complete facilities on the premises, including X-ray equipment, facilities for minor surgery, dental machinery. The warden tells us proudly that prisoners rarely have to leave the prison for outside medical treatment. Everything they need is right here. I shudder involuntarily, thinking how I'd feel being cooped up in this place indefinitely. The warden also tells us that prisoners have tried various ways of being released for medical reasons such as swallowing nails, spoons, and in one case a steak knife. I am reminded of the force of the idea of being unable to move about on your own free will.

We visit the working areas where the prisoners make such things as cloth for weaving and do fine metal work. Both of these activities are done on a mass scale and the output is enormous, in some cases compromising huge rooms full of finished cloth. The working areas have small windows at the top; little light from outside seeps through.

We are shown a shop where handicrafts made by the prisoners are sold. Small sculpture, done in both metal and wood is for sale, as is decotage. This word is new to me; someone on the tour explains that it is simply a pasting of a photograph or piece of printed paper onto a piece of wood with both the wood and the paper being stained and varnished afterward. One decotage shows a picture of the sea with a man and a woman standing beside it; I am struck by how that brings to my mind the thought of freedom.

The last part of our tour takes us through corridors to watch the men at play in the physical recreation areas. Two men are kicking a soccer ball around; it is the national pastime of France. I notice that there are many men in the small area, but not much in the way of open space to move around in. They are excited to see visitors; they see the girls on the tour and yell "ooh la la!" Most of them are quite young, between 25 and 40. I ask the warden what the recidivism rate is and he says it is high. I ask him why that is so in light of the fact that the prison is a place criminals fear. He answers that it is because the criminal's chances of being caught in France are low. Very few cases reach trial, he says, and fewer still are convicted.

We are led back to the conference room where members of our tour ask questions. How long is the average sentence? How's the food? What about conjugal visits? The last question brings a negative reply; conjugal visits are not allowed in French prisons.

I'm happy to see the open door and the sight of the bus. We have been treated politely at all times. Our host has been most gracious and very informative. It turned out to be one of the more interesting afternoons I spent in Paris.